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AUTHOR Karloff, Kim E.
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ABSTRACT

A study, framed by the basic research and course discussion questions in the Newswriting and Reporting course at the University of Iowa's School of Journalism and Mass Communication, asked whether rape/sexual assault victims should be named in the press and also examined how these future journalists might rewrite newsroom policy on naming names. The study was a 3-year, 6-course study of 92 reporting students; 56 were female and 36 were male, and the majority were under the age of 30. Findings suggest that future journalists are already addressing the rape victim identification dilemmas outlined by scholars such as Helen Benedict, Jay Black, Carol Oukrop, and others. The study showed that students are familiar with the identification issues and with policy arguments both for and against publication of rape victim identities. They are also privy to the rape myths that Helen Benedict outlines in "Virgin or Vamp: How the Press Covers Sex Crimes." Nearly 70% of students surveyed (50% of males and 78% of females) said that rape victims can be identified but only if the victim asks to be named or consents to be named, is well known, or has been murdered. (Contains seven tables of data and 26 footnotes.) (NKA)

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YOU BE THE EDITOR: A THREE-YEAR STUDY OF STUDENT-JOURNALISTS AND THE RAPE VICTIM IDENTIFICATION DEBATE

Kim E. Karloff

Ph.D. Candidate, The University of Iowa
School of Journalism and Mass Communication

Current Contact Information:
15 Old Canal Road
Richmond, Virginia 23221
Phone: 804-358-6785
FAX: 804-213-0588

After August 15, 1997:
Department of Journalism
California State University, Northridge
18111 Nordhoff Street
Northridge, California 91330-8311

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YOU BE THE EDITOR: A THREE-YEAR STUDY OF STUDENT-JOURNALISTS AND THE RAPE VICTIM IDENTIFICATION DEBATE

"NBC News, breaking with a long-standing news media practice of not naming rape victims without their consent, last night broadcast the name and picture of the woman who said she was raped by William Kennedy Smith in Palm Beach, Fla. Senior executives at CBS, ABC, CNN, *The Washington Post, New York Post, New York Daily News* and the *Palm Beach Post* said NBC's decision would not affect their policy of withholding the 29-year-old woman's name. But *The New York Times* and the *Fort Worth Star-Telegram* chose to publish Patty Bowman's name because of the NBC broadcast."

-- *Fort Worth Star-Telegram, April 17, 1991*[1]

"While it is legal for us to identify survivors, we should really learn from cases like the William Kennedy Smith debacle. I once saw a television talk show on the subject. One of the guests was a woman who was victimized and then had her name mentioned in a newspaper story. She said that having her name put in the paper was like being raped a second time. Nobody even called to ask her."

-- *Female journalism student, age 20 in 1995*

"In the face of what we did in the Central Park case, the obvious conclusion was that women who graduate from Wellesley, have prestigious jobs (the victim was an investment banker), and are raped by a gang of black teen-agers will be treated fairly by the press. And women who have 'below-average' high school grades, are well known in bars and dance clubs, and say that they have been raped by an acquaintance from an influential family after a night of drinking will not. If we had any doubt about whether there is still a stigma attached to rape, it is gone for good. Any woman reading the *Times* profile now knows that to accuse a well-connected man of rape will invite a thorough reading not only of her own past but of her mother's, and that she had better be ready to see not only her name but her drinking habits in print. ..."

-- *Anna Quindlen, New York Times, April 21, 1991*[2]

"By printing the name of the victim along with the accused some of the stigma surrounding rape and sexual assault may be diminished. If the victim is allowed to hide behind the blinds of black and white ink as a Jane or John Doe, then it is more difficult for others in society to relate and feel compassion toward that person."

-- *Male journalism student, age 20 in 1995*

Journalism students have had an array of rape and sexual assault stories available to them to study in their reporting, editing, law, gender and ethics courses over the past 10 years. While stories such as those on the Central Park jogger gang-rape, the Mike Tyson rape conviction, Patricia Bowman's "involvement" with William Kennedy Smith, and

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[1] "NBC Broadcasts Name of Woman Alleging Rape," *Fort Worth Star-Telegram*, 17 April 1991, 14A. See also "TV, Paper Identify Alleged Rape Victim," *Dallas Morning News*, 17 April 1991, 12A.

[2] As quoted in Nan Robertson's "The Girls in the Balcony: Women, Men and The New York Times" (New York: Fawcett Columbine, 1992), 244.

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the Des Moines Register's Pulitzer Prize-winning series on Nancy Ziegenmeyer's rape and court battle all made headlines in the late 1980s and early 1990s,[3] the last year has provided even more course fodder and debate. Consider these stories: The alleged rape of a 23-year-old woman by two Dallas Cowboy football players, NFL star Michael Irvin and Eric Williams, and the subsequent recanting of the story by the woman; the February 1997 murder arrest of Lawrence Singleton, a decade after being released from a California prison for raping a 15-year-old runaway and hacking her forearms off with an ax; and the December 1996 arrests of two Virginia Tech football players, each charged with one count of rape and attempted sodomy. The athletes countered by filing a $32 million lawsuit against their accuser.[4]

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[3] The 28-year-old New York woman who eventually came to be known by many as the "Central Park jogger" first made headlines in April 1989 after she was raped, sodomized and assaulted by at least six youths in New York's Central Park. See William Glaberson's "Times Article Naming Rape Accuser Ignites Debate on Journalistic Values," *The New York Times*, 26 April 1990, 12A; "Most Papers Won't Name the Jogger," *The New York Times*, 13 June 1990, 3B; as well as Chapter 6 of Helen Benedict's "Virgin or Vamp: How the Press Covers Sex Crimes" (New York: Oxford University Press, 1992), 189-249. Desiree Washington is the woman raped by heavyweight boxing champion Mike Tyson in 1991. Upon Tyson's release from prison in March 1995, the *Sunday London Times* ran this caption: "Washington: forgotten" (19 March 1995, 19A). Patricia Bowman is the Florida woman who accused William Kennedy Smith, Senator Edward Kennedy's nephew, of rape in April 1991. Bowman's identity was first revealed by *The Globe*, a nationally circulated tabloid based in Boca Raton, Florida. See Fox Butterfield and Mary B.W. Tabor, "Woman in Florida Rape Inquiry Fought Adversity and Sought Acceptance," *The New York Times*, 17 April 1991, 17A. Discussion of Ziegenmeyer's November 1988 kidnapping and rape followed the five-part series in the *Des Moines Register*, beginning 5 February 1990. The series was written by Jane Schorer. See also Geneva Overholser, "We Should Not Have to Keep Hiding Rape," ASNE Bulletin, (November 1989), 32; Overholser, "Covering Rape: A Time of Transition," ASNE Bulletin, (October 1990), 12-14, 16; and Schorer, "The Story of Rape," The Quill, (May 1990), 19.

[4] On December 29, 1996, Nina Shahravan told Dallas police that Williams and another man had sexually assaulted her after Irvin held a gun to her head. On January 10, 1997, Shahravan's story was disproved. She was charged with filing a false police report one week later. See "Rape Accusation," *USA TODAY*, 3-5 January 1997, 1C. According to Associated Press reports, Lawrence Singleton, 69, served only eight years of his 14-year sentence for the attempted murder, kidnapping, rape and sodomy of 15-year-old Mary Vincent. He was paroled in 1987. Roxanne Hayes, 31, was his latest victim. A 19-year-old Virginia Tech student told police she was assaulted by two Tech football players early December 14, 1996. Brian Edmonds and James Crawford, who were later suspended from the team, deny the charges and sued the woman, claiming her allegations hurt their chances of playing in the National Football League. Eighteen Virginia Tech football players -- about one-fifth of the team -- have been charged with a crime during the past year. See Skip Wood's "Two Tech Players Face Rape Charges," *Richmond Times-Dispatch*, 17 December 1996, E1, E2, and "Tech Players Hit Accuser With Suit," *Richmond Times-Dispatch*, 18 December 1996, E1, E5; as well as "Grand Jury Gets Tech Rape Charges," by Rex Bowman, *Richmond Times-Dispatch*, 21 February 1997, D1, D8.

Despite TIME's suggestion that an "angry debate" about the disclosure of rape victims' names was ignited in 1991 with the identification of Patricia Bowman by The Globe,[5] journalists, jurists, feminists, scholars, ethicists, psychologists and others grappled with the issue of naming rape victims long before Bowman, Ziegenmeyer, Desiree Washington, and the Central Park jogger made headlines. The current debate, which can be traced back to 1909 when South Carolina adopted the first state statute regarding the publication of a victim's identity,[6] was really ignited by the feminist anti-rape and rape-law reform movements of the 1970s and early 1980s that challenged legal and public perceptions of rape itself.[7] By arguing that the law functioned as a symbol of male authority and as a means of maintaining women's subordinate social status, feminists set new parameters for the debate.[8]

Legal participants in the debate have set other parameters. The U.S. Supreme Court has twice faced the issue of whether or not the press should be prohibited from,

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[5] Margaret Carlson, "Should This Woman Be Named?" *TIME*, 29 April 1991, 28. The debate has been dubbed an "angry" and "bitter" one because, as Susan Estrich explains, rape victims are treated differently, by society and by the criminal justice system, than any other crime victims. See Estrich's "Rape," 95 Yale Law Journal (1986), 1087.

[6] Two other states, Florida and Georgia, adopted similar statutes in 1911. These statutes, however, were rarely used or tested. It wasn't until 1948 that the Wisconsin Supreme Court provided a legal opinion on such a law. State v. Evjue, 253 Wis. 146, 33 N.W. 2d 305 (1948), was the first U.S. case to lead to a criminal prosecution for the publication of a rape victim's identity. The 1925 Wisconsin statute, on which the case was based, stated that the press was to be punished for revealing such information.

[7] For thorough discusions see Jeanne Marsh, Alison Geist and Nathan Caplan's "Rape and the Limits of Law Reform" (Boston: Auburn House Publishing, 1982); Chapter 4 of Rosemarie Tong's "Women, Sex, and the Law" (Totowa, N.J.: Rowman & Allenheld, 1984), 90-123; Chapter 15 of Ann Wolbert Burgess' "Rape and Sexual Assault II" (New York: Garland Publishing, 1988), 271-292; and Ronald Berger, W. Lawrence Neuman and Patricia Searles' "The Social and Political Context of Rape Law Reform," Social Science Quarterly 72 (1991), 221-238. See also, Susan Schechter, "Women and Male Violence: The Vision Struggles of the Battered Women's Movement" (Boston: South End Press, 1982) and Vivian Berger, "Man's Trial and Women's Tribulation: Rape Cases in the Courtroom," 77 Columbia Law Review 1, (1977), 7-10.

[8] For example, Susan Brownmiller, one of the first feminists to sensitize the public to the crime of rape in her 1975 book "Against Our Will: Men, Women and Rape" (New York: Simon and Schuster, 1975), 16-18, 376, 377, notes that victims are traditionally viewed as "damaged goods" because rape first became a property crime of man against man. Women were viewed as the property. Brownmiller's analysis has served as a rationale for feminists who are opponents of identification because they say the stigma attached to the crime leads to a victim's "second victimization," hence thwarting many from reporting the rape. See also Alex S. Jones, "Naming Rape Victim is Still a Murky Issue for the Press," *The New York Times*, 25 June 1989, 18A.

punished for, or held civilly liable for identifying rape victims -- in 1975's Cox Broadcasting Corp. v. Cohn and in 1989's Florida Star v. B.J.F.[9] While the Court reserved judgement on the constitutionality of Georgia's and Florida's laws, it was consistent in asserting First Amendment freedom of the press over victims' privacy rights, leaving the media free to pursue their own policies. The Court in B.J.F. also invited Florida to write a better, more enforceable law regarding the prohibition against or punishment for identifying victims. As Justice Thurgood Marshall noted:

> We do not hold that truthful publication is automatically constitutionally protected, or that there is no zone of personal privacy within which the State may protect the individual from intrusion by the press, or even that a State may never punish publication of the name of a victim of a sexual offense. We hold only that where a newspaper published truthful information which it has legally obtained, punishment may lawfully be imposed, if at all, only when narrowly tailored to a state interest of the highest order, and that no such interest is satisfactorily served by imposing liability under (the Florida law).[10]

Legal decisions such as Cox and B.J.F. provoke the debate and set a framework around which the debate can occur. Legal precedent, then, like the turn-of-the-century legislative actions and feminist reform movements of the 1970s and early 1980s, is part of the history of the rape victim identification debate.

While journalists, feminists and jurists may argue when the debate was renewed, what is of importance to this study is that the debate, while not new, is still broiling. As Jay Black, Poynter-Jamison Chair in Media Studies and Press Policy at the University of South Florida and founding co-editor of the Journal of Mass Media Ethics put it:

> News coverage of sex crime victims has become as much of an ethical as a legal issue, and news media are not sure how to handle the options before them.[11]

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[9] In Cox Broadcasting Corp. v. Cohn, 420 U.S. 469, 95 S.Ct. 1029 (1975), the Supreme Court refused to allow tort recovery for invasion of privacy arising from the broadcast of a rape victim's name taken from a court record. In Florida Star v. B.J.F., 491 U.S. 524, 109 S.Ct. 2603 (1989), a civil invasion of privacy case, the Court ruled that the weekly newspaper that accidently named a rape victim could not be penalized for publishing accurate information legally obtained from a police report.

[10] Florida Star v. B.J.F., 16 Media Law Reporter 1802, 1808, 1809 (1989), in reference to Florida code regarding the publication of a rape victim's identity in the press.

[11] As quoted in Black's "Rethinking the Naming of Sex Crime Victims" Newspaper Coverage of Rape: Dilemmas on Deadline (Oklahoma City: Ethics and Excellence in Journalism Foundation, 1996), 14.

In her 1992 book "Virgin or Vamp: How the Press Covers Sex Crimes," Columbia University's Helen Benedict also concludes that those in the press may, indeed, better handle the options regarding the identification debate. While Benedict considers press freedom sacrosanct to democracy, she argues "rape is not the same as being attacked by a mugger." Among her suggestions for journalists:

> -- Avoid giving the public information that could further endanger the victim, such as her name, address or whereabouts.
> -- Learn the rape myths and narratives that trap editors and reporters into unfair coverage.
> -- Reconsider whether descriptions of victims and their behavior belong in crime stories at all.
> -- Choose accuracy over speed.
> -- Diversify the newsroom. As long as the press is predominantly white, male and uninformed about rape, sex crimes will not be covered fairly.
> -- Stop being afraid of feminism.[12]

While some journalism and feminist scholars have critized Benedict's work for condescending to reporters (the intended audience of her book) and for failing to include the theoretical writing of women of color (bell hooks and Angela Davis, among others),[13] Benedict does offer some direction for reform and for recasting the future of the rape victim identification debate.

And in a day when 80 percent of Americans say the news media "often invade people's privacy," 52 percent say they think the news media abuse the First Amendment, and 82 percent think reporters are insensitive to people's pain,[14] Benedict and Black do offer optimism for future change, based on ethical reflection, reasoning and review.

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[12] See Benedict, "Virgin or Vamp: How the Press Covers Sex Crimes" (New York: Oxford University Press, 1992), 259-266. See also "A Resource Guide: News Coverage of Sexual Assault" (Des Moines: Iowa Coalition Against Sexual Assault, 1987), 6-7, 12.

[13] See Jane Caputi's review "All the News That's Unfit to Print," The Women's Review of Books, Vol. 10, No. 7 (April 1993), 9; Fred Pelka's review "Rape: It Sells Papers," On The Issues, Vol. II, No. 4 (Fall 1993), 46-47; and Cynthia Rawitch's review in Journalism Quarterly, Vol. 70, No. 3 (Autumn 1993), 720.

[14] See Judith Valente, "Do You Believe What Newspeople Tell You?" Parade Magazine, 2 March 1997, 4-6. The survey of 1,500 adults from around the United States, was conducted in January 1997 by the Roper Center in Storrs, Conn. See also AP's Mike Feinsilber, "Many in Poll Would Curb Journalists," Richmond Times-Dispatch, 14 December 1996, A2. This poll, of 3,004 adults, was conducted by Louis Harris and Associates between November 8-30, 1996.

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Journalism students, those who will be making these decisions in the future, offer even more opinions, newsroom policy suggestions (and optimism) regarding the rape victim identification debate. While this study is framed by the basic research and course discussion question: **"Should rape/sexual assault victims be named in the press?"** the study's purpose was to also examine how these future journalists might write/rewrite newsroom policy on naming names. And so, each student was asked to respond, also in writing, to this hypothetical situation:

> **You are the editor of a daily newspaper. What do you think should be your publication's policy on naming or identifying rape/sexual assault victims? Please state your newpaper's policy, explain how you came to your conclusions, and offer any suggestions you think might be helpful to your news staff.**

The findings of this three-year, six-course study of 92 reporting students at The University of Iowa's School of Journalism and Mass Communication are noted below.

METHODS

The particular Newswriting and Reporting course used in this study is designed to provide the School's generally introductory journalism students with "the fundamentals of journalistic reporting and writing, from basic to complex and sophisticated newswriting, with emphasis on reporting techniques and beat coverage." The rape victim identification discussions and policy-writing exercise were scheduled in Week 13 (out of 16 weeks) during the Fall and Spring semesters, and during Week 5 (out of 6) in the Summer terms. The study consisted of each student's individual written response to the question: "Should rape/sexual assault victims be named in the press?" Students were also provided with the take-home "you be the editor" hypothetical and policy-writing exercise noted above.

Of the 92 students enrolled in these six sections of the Summer 1994, Fall 1994, Spring 1995, Fall 1995, Spring 1996 and Summer 1996 terms of the Newswriting and Reporting class, a total of 89 student responses were received, a return rate of 96.7 percent.

The discussion question and hypothetical policy-writing exercise were first suggested by colleagues following a panel session at the 21st Annual AEJMC Midwest Journalism History Conference at the University of Missouri-Columbia in March 1994. Development into the reporting course syllabus was influenced by several studies, most notably Carol Oukrop's work on "Views of Newspaper Gatekeepers on Rape and Rape Coverage,"[15] Tommy Thomason and Paul LaRocque's projects on identifying crime victims,[16] and Carolyn Stewart Dyer's work regarding sexual assault coverage,[17] as well as by discussions with Christie Munson, agency director of Iowa City's Rape Victim Advocacy Program, and RVAP board members and volunteers.[18]

FINDINGS

Of the 92 total students in the three-year, six-course study, 56 of the students (60.8 percent) were female and 36 were male students (39.1 percent). Again, 89 out of 92 students responded to the exercise, a return rate of 96.7 percent. Of the three students who did not respond, two were male students in the Fall 1995 term, one was a female student in the Fall 1994 course. While the majority of the students in this study were U.S. citizens, generally of Anglo descent, nearly 6 percent were students of color. As for international students, two student-journalists were from China, two from Germany, and one each from Holland, Rawanda, France and Mexico. With the exception of three students, all were under the age of 30.

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[15] Oukrop, (Manhattan, Kansas: Kansas State University, October 1982), photocopy.

[16] See Thomason and LaRocque's "Newspaper Identification of Crime Victims: Editors Change Address Policies" (Paper presented at the AEJMC national convention, Minneapolis, Minn., 1990) as well as Maggie Thomas, Thomason and LaRocque's "Newspaper Coverage of the Smith-Bowman Rape: To Name or Not to Name the Victim?" Southwestern Mass Communication Journal 10 (1994).

[17] See especially, Dyer's "Listening to Women's Stories: Or Media Law as If Women Mattered" in Pamela J. Creedon, ed., Women in Mass Communication, 2nd ed., (Newbury Park: Sage, 1993), 317-340.

[18] It is important to note here that while I have used the terms "victim" and "survivor" intermittedly throughout this study, the terms "rape" and "sexual assault" do not hold interchangeable definitions. Sexual assault is a general term that often is used to describe all forms of unwanted sexual activity. It includes, but is not limited to, rape. While exact legal definitions vary by state, rape is generally defined as sexual intercourse against a victim's will and without the victim's consent. Thanks to Munson for noting.

A majority of those in the study (nearly 70 percent in total; 50 percent of all male students and 78 percent of all female students) said it is OK to identify rape/sexual assault victims in the press, but ONLY if the victim asks for or consents to being named, is well-known or is murdered (see **Table 7**). While this was generally the opinion of the student-journalists across the six classes, only one of the 56 total female students said the name of a rape/sexual assault victim should be published in **all** cases. Seven males (or 19.4 percent of the total male students) agreed. Meanwhile, a quarter of the male students in the study said the name of a rape/sexual assault victim should **not** be published by the press.

A break-down of the course results, followed by specific student-journalist policy considerations, can be found below.

Table 1: Newswriting and Reporting Course, Summer Term 1994

	Percent
Name of rape/sexual assault victim should be published in all cases:	6.25
Name of rape/sexual assault victim should not be published:	12.50
Name of rape/sexual assault victim may be published if ...	
-- ***victim is murdered***	
-- ***victim asks for or consents to identification***	
-- ***victim is well-known***	
-- ***other media have already identified victim***	81.25
Did not respond:	0
	N = 16

An overwhelming majority of students in this particular class (81.25 percent total; 75 percent male students and 83 percent of the female students), said names may be published if the victim asks for or consents to identification (10 out of 16), is well-known (1 out of 16) or has been murdered in the event (2 out of 16). Also, this class included the lone female student who suggested that all victims' names should be published in all cases.

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Her reasoning: "By publishing the names of the victims, we will be educating the public of the severity of sexual assault, allow the public to react and seek precautions from similar acts, and will possibly help in the prosecution of the assailant(s)."

Another female student in the same class agreed with the majority's finding that a victim's name could be published if the victim asks for or consents to such identifcation, but added this caveat: "Do not name rape victims living in a city or community with a population of 75,000 or less, because the victim could have some irreparable damage done to his/her character or career and doing so (publishing name) may put the paper in a bad light." While the student did not articulate what she meant by a "bad light," her assessment of the debate is an intriguing one in that she, as a future editor, has her readers', her community's interest at heart -- as opposed to deadline pressures, or the need to be first to "get the story," as Benedict, among others, has pointed out. It is interesting to point out, too, that this particular female student was not from an under 75,000-population community. Rather, she hailed from an international metropolis.

While there were four male students in the Summer 1994 Newswriting and Reporting class (and 12 female students), only one of the young men suggested that a victim's name should not be published (see **Table 1**). As he put it: "Compassion is ignored by the law that says papers can print the victim's name. Curiousity of others does not win the tug-of-war on responsible reporting. In layman's terms: It is not compassionate or moral to further the grief or embarrassment of the victim because people have the legal right to know the name. I do not see what good it can do to others by printing the victim's name."

The other student who suggested names should not be published, a female student in her 20s, echoed the sentiments of many a rape victim advocate: " A majority of victims

do not report the assault or rape for fear of their names (being) splashed on the front page of the newspaper. It's a simple answer: Don't print their names. Just don't do it."[19]

Table 2: Newswriting and Reporting Course, Fall Term 1994

	Percent
Name of rape/sexual assault victim should be published in all cases:	6.25
Name of rape/sexual assault victim should not be published:	18.75
Name of rape/sexual assault victim may be published if: -- ***victim is murdered*** -- ***victim asks for or consents to identification*** -- ***victim is well-known*** -- ***other media have already identified victim***	68.75
Did not respond:	6.25
	N = 16

While not as strong of a majority as the students in the summer class before them (68.75 percent compared with 81.25 percent), this particular class (see **Table 2**) also favored naming the victims of rape/sexual assault **if** the victim asked for or consented to identification (7 out of 16), **if** the victim was murdered (2 out of 16), **if** the victim was well-known (1 out of 16), or **if** other media had already identified the victim (1 out of 16).

As one female student put it in her response: "Sexual abuse victims experience the worst type of disempowerment. Therefore, the victim ultimately has the right to exercise some control over the media in respect to how they report on her/his private life. This

[19] According to the FBI, a rape is reported about once every six minutes in the United States. Nevertheless, reported rapes represent only a fraction of the number that actually occur. Victimization surveys estimate that 10 times as many rapes are committed as are reported. See Aileen Adams and Gail Abarbanel's "Sexual Assault on Campus: What Colleges Can Do" (Santa Monica, Calif.: Santa Monica Hospital Medical Center, 1988), v-10. According to Iowa City's Rape Victim Advocacy Program Quarterly Report (from July 1 through September 30, 1996): "While we are living in a time of increased violent crime, it also seems that our community response to sexual assault and recent national attention to the subject of violence against women has had a dramatic impact on the number of women reporting sexual assaults throughout the 1990s."

reason alone can suffice as a final reason to grant the victim's request for her/his name disclosure."

Another female student in this class, echoing the sentiments of Geneva Overholser[20] on the power of the press to destigmatize this crime by publishing victims' names, wrote: "The purpose of this policy is to help end the fear of sexual assault victims to come foreward, report crimes, and apprehend offenders. The exploitation of rape victims by the press perpetuates a dangerous reluctance in society to confront and end violent crimes toward women. While we should not be hesitant to print victims' names, we should be vigilant in treating their stories with fairness, with compassion."

Like its Summer 1994 counterpart, the Fall 1994 Newswriting and Reporting class included 12 female students and four male students. This time nearly 20 percent of the students (two female students and one male) suggested that the name of a rape/sexual assault victim should not be published. As one student put it: "A friend of mine was raped in her apartment two years ago. She, no one should have to be beat up again by the press. As the editor, naming will not be a part of our publication's policy."

Table 3: Newswriting and Reporting Course, Spring Term 1995

	Percent
Name of rape/sexual assault victim should be published in all cases:	5.55
Name of rape/sexual assault victim should not be published:	33.33
Name of rape/sexual assault victim may be published if ... -- ***victim is murdered*** -- ***victim asks for or consents to identification*** -- ***victim is well-known*** -- ***other media have already identified victim***	61.11
Did not respond:	0
	N = 18

[20] See Overholser's "American Shame: The Stigma of Rape," *Des Moines Register*, 11 July 1989. At the time this column was written, Overholser was editor of *The Register*.

Again, this time in the Spring 1995 term, a majority of the student-journalists said that naming a victim of rape or sexual assault is OK, but only if the victim consents or is well-known. A majority of the female students (77.7 percent) in this particular class (see **Table 3**) said names may be published if the victim asked for or consented to the identification (5 out of 9 total females in class) or if the victim was well-known (2 out of 9 females in class). Male students were evenly divided on the issue. While 44.4 percent said names should not be published, another 44.4 percent said they may be if consent to do so is obtained from the victim. Unlike the other five classes in this study, this class count consisted of an even gender division: nine female students; nine male students. And all responded to the study's policy-writing query.

One of the five female students who suggested names could be used if victims consented tempered her comment with a rather candid call for media moderation: "I am a woman, and although I have never experienced the trauma of a sexual assault, I empathize with women who have been sexually assaulted. There's no way I can know what anyone who has been assaulted feels, but I do know that there's a lot of physical and emotional pain involved. I don't feel that the paper should be the one to prolong the experience for the victim by printing her name repeatedly. Again, this also leaves the victim subject to unnecessary harassment. I think while more women may be identified they must be so moderately. Show some moderation in your coverage. Don't repeat the victim's name needlessly."

While most students focused solely on the rape victim identification debate, a few students, two male students and one female student in particular, targeted the issue of whether to identify the alleged perpetrator of the crime. As one 20-year-old male put it: "The difficult issue comes when to print the name of those who are charged with the crime. Should the name of the charged person be printed? Two factors must be weighed, first is that the man or woman charged is innocent until a court or jury decides otherwise. If the name is printed the public may associate the person with sexual assault whether they are

convicted or not. On the other hand, our job is to print news and when someone famous like William Kennedy Smith or Woody Allen is accused of sexual misconduct this is news that people want to know about." In a rather pointed final sentence, this same male student ended with: "We know from past experience that other papers will print this news (of the accused) anyway and leave us behind if we do not."

Another male student, this one a campus athlete, also confronted the issue of naming the accused. In his words: "William Kennedy Smith will most likely always be known as a sexual offender, even though he was found innocent. The process of being accused of rape, or other sexual crimes, is irreversibly damaging to the accused person's reputation and, in my opinion, an innocent ruling from a judge does not suffice or reverse the damage done by the press. I feel that if someone is going to accuse a person of a crime, then both parties should be identified. Why give the accuser anonymity? This only makes people feel that the victim has something to hide."

After stating quite articulately that the names of perpetrators should be made public so as to "make the public aware of what is going on in the community," one female student added a hand-printed note onto the bottom of her policy. Her note read: "Now that I think about it I am sort of up in arms. If the perpetrator's name was published, and he/she hadn't actually committed the crime, that would do harm to the individual. I kind of want to say that the name shouldn't be published until the person is convicted and sentenced. But that doesn't seem fair either."

As an addendum to his policy on "refraining to publish the names of victims of rape," another male student, age 20, wrote: "In the event that charges against the accused are dropped or an offender is found not guilty during trial, reasonable efforts will be taken to make such information as available to the public as were the original press accounts." Such words would prove somewhat prophetic two years later when the Cowboys' Michael

Irvin told those in the media: "Rerun it, rewrite it, reprint it -- just like you did, with the same intensity that you did."[21]

Table 4: Newswriting and Reporting Course, Fall Term 1995

	Percent
Name of rape/sexual assault victim should be published in all cases:	6.25
Name of rape/sexual assault victim should not be published:	25.00
Name of rape/sexual assault victim may be published if: ***-- victim is murdered*** ***-- victim asks for or consents to identification*** ***-- victim is well-known*** ***-- other media have already identified victim***	56.25
Did not respond:	12.50
	N = 16

As is the case with the female students in the Spring 1996 term (see **Table 5**) and Summer 1996 term (see **Table 6**), the majority of the female students in this particular class (66.6 percent, see **Table 4**) said victims' names may be published if they asked for or consented to the identification. This particular course was made up of nine female and seven male students. A third of the female students in this class said that rape/sexual assault victims' name should not be published. More than 43 percent of the males responding said the names may be published if the victim is well-known or has consented to the identification.

Only one male student in this class said the name of a rape/sexual assault victim should be published in all cases. According to his newsroom policy, reporters will "under no circumstances print anything that has not been proven true or factual; print anything that displays racial, sexual, or political bias; print anything accusatory; print anything that may

[21] Michael Irvin as quoted in The New Yorker, 27 January 1997, Vol. LXXII, No. 44, 5.

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damage a person in his or her public office, profession or occupation; or print anything that may be deemed distasteful or sexually offensive (i.e. slang language)." While this student's intent appears to be quite honorable, he makes no mention of who will decide when and if "anything displays racial, sexual, or political bias" or whether a story contains "distasteful" or "sexually offensive" remarks.

A female student, who later identified herself as a rape survivor, wrote: "No reporter shall be allowed to reveal, in any way, directly or indirectly, the names of rape/sexual assault victims within his/her article. This policy contains two exceptions: a) Those crimes in which a person of notoriety is involved, i.e. William Kennedy Smith, Mike Tyson. The name of the victim must be publicly known in other publications or broadcasts prior to this paper's publishing of the name; b) Those cases in which the victim wishes to have her/his identity revealed within the particular article. This exception must only be committed subsequent to a letter written and signed by the victim prior to the article's publication date. Absolutely NO (her emphasis) oral agreements may be made in place of this written request to be named."

Only one male student suggested that the names of rape/sexual assault victims should "never" (he crossed out the term "not" in his original policy) be published. He did not elaborate on this debate stance.

It is interesting to note, too, that when describing victims and perpetrators most students in all six courses have identified them as "he/she" or "her/him." Unlike traditional rape law that only applied to male-female forced vaginal intercourse, these students have obviously been socialized and/or educated to be somewhat gender neutral when discussing rape and sexual assault victims and perpetrators.[22]

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[22] For even more intriguing discussions of what men can do in addressing this often-termed "women's issue," see Timothy Beneke's "Men on Rape" (New York: St. Martin's Press, 1982); Rus Ervin Funk's "Stopping Rape: A Challenge for Men" (Philadelphia: New Society Publishers, 1993); Doug Kammeier's guest opinion, "What Men Can Do to Stop Rape," *The Daily Iowan*, 3 October 1996; and Jim Meisner's "Where Is the Outcry on Rape?" *The Daily Iowan*, 22 October 1996, 4A.

Table 5: Newswriting and Reporting Course, Spring Term 1996

	Percent
Name of rape/sexual assault victim should be published in all cases:	18.75
Name of rape/sexual assault victim should not be published:	6.25
Name of rape/sexual assault victim may be published if ...	
-- victim is murdered	
-- victim asks for or consents to identification	
-- victim is well-known	
-- other media have already identified victim	75.00
Did not respond:	0
	N = 16

While an overwhelming majority of female students in this class (88.8 percent) said the name of a rape or sexual assault victim may be published if he/she asks for or consents to such identification, 42.8 percent of the male students in this class said the name of a rape or sexual assault victim should be published in all cases (see **Table 5**). This class consisted of nine female students and seven male students.

Taking a cue from recent press coverage, including class discussion of the Central Park jogger and Kennedy Smith/Bowman stories, several students in this course pinpointed ways that reporters might better cover sexual assault as well as to better address the rape victim identification debate. As one female student wrote: "Graphic details, such as what the victim was wearing or what time he/she returns home on weekends, from sexual assault cases should be left out of the copy, unless the survivor agrees to do an interview. This plan has the potential to backfire if the details released in the story end up damaging the plaintiff's case."

Another student, this one a male in his early 20s, wrote: "Often a series of crimes occur. There may be a serial rapist on the loose who is preying upon people in a

concentrated area. If a pattern seems to emerge in a series of assaults, we will report the details we feel may help other potential victims avoid attack. We will report on geographic information such as what area of the city and what blocks assaults have occurred on. We also will profile the victims and what they may have in common. If a pattern developes where the victims are all black females between the ages of 18 and 25, all wearing cut-off jeans shorts and red T-shirts, then we will report of such patterns. This is to make the public aware of behavior and activity that may attract the attention of the person committing the assaults.[23] We will also use police statistics and rape crisis center information when writing stories about incidents of sexual assault. We feel that rape crisis center statistics are more accurate than police statistics since many survivors are reluctant to report sexual assault to the authorities."

While these students appear ready to move into real newsroom policy-making positions, other students in the Spring 1996 class also addressed the issue of naming the accused. For example, one female student, wrote: "As far as the offender's name goes, if charges are brought against him or her, that is public knowledge and the name will be printed in the arrests section of the paper. If the case is just being looked into, then I as editor would not yet print a name. Printing the name of an accused person with no police arrest to back it up is just one person's word against someone else's. It could severely damage the reputation of the accused."

Another male student mirrored her comments: "Accusing someone of such a major violent crime can damage a person's reputation forever. We report the name of the accused only after they are convicted, or confess to the crime."

Another: "If a person is convicted, their name will appear in our newspaper. Criminals -- especially sexual offenders -- relinquished their right to privacy upon

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[23] For compelling reading on the coverage of one such serial rapist, see Howard Swindle's "Trespasses: Portrait of a Serial Rapist" (New York: Viking Press, 1996). Swindle is assistant managing editor for investigative reporting at *The Dallas Morning News*.

committing their crime. Anyone officially accused of committing a rape or other sexual offense will also see their name in this newspaper. However, because the person in question has been accused only -- not proven guilty in a court of law -- their name will be qualified in each and every instance with their official status: accused or alleged."

Table 6: Newswriting and Reporting Course, Summer Term 1996

	Percent
Name of rape/sexual assault victim should be published in all cases:	10
Name of rape/sexual assault victim should not be published:	30
Name of rape/sexual assault victim may be published if: -- ***victim is murdered*** -- ***victim asks for or consents to identification*** -- ***victim is well-known*** -- ***other media have already identified victim***	60
Did not respond:	0
	N = 10

While 40 percent of the male students in this class of five females and five males said the name of a victim of rape or sexual assault should not be published, another majority of female students (in this case 80 percent, see **Table 6**) said a victim's name may be published if she asks for or consents to such publication. While the smaller number of students in this particular class may be problematic to some, the class percentages were consistent with the general findings of the other five Newswriting and Reporting classes.

As one "editor" put it, and rather succinctly: "When reporting, be sensitive." She went on to suggest to reporters that details surrounding the crime should be used, but examined before publication. For instance: how the victim was dressed, or how much he/she had to drink, where the attacker touched them, and what they were feeling at the

time. A male student who also was a proponent of allowing "consented" identification, wrote: "When dealing with a rape case, put yourself in the victim's situation. If it was your friend, your co-worker, your relative, your son, yourself, what would you want? What kind of coverage would you expect? Do you want your name published?"

Another female student suggested: "The survivor should have the chance to make the public aware of what happened to them and by whom, but they should also be protected from any further trauma that publicity may cause them. ... An alias could be used in situations where the survivor's name is left out."

Another male student echoed the words of the student-journalist from the Spring 1996 class who targeted the community-protectionist strategies of reporting, in the face of a serial rapist or pattern rapist. As this Summer 1996 student put it: "In cases where people might be at risk by a rapist on the loose, it serves the public's best interest to allow more details into a story, to inform and to forewarn." This student suggested descriptions of the alleged rapist be published, general locations of attacks noted, as well as consistent updates on police investigations be reported.

Table 7: Newswriting and Reporting, Totals From Six Courses

	Percent
Name of rape/sexual assault victim should be published in all cases:	8.69
Name of rape/sexual assault victim should not be published:	20.65
Name of rape/sexual assault victim may be published if: -- ***victim is murdered*** -- ***victim asks for or consents to identification*** -- ***victim is well-known*** -- ***other media have already identified victim***	67.39
Did not respond:	3.26
	N = 92

Discussions of the Patricia Bowman/William Kennedy Smith story coverage as well as the Mike Tyson/Desiree Washington stories and Central Park jogger case almost always followed the students' return of their newsroom policy-writing jaunts into the rape victim identification debate. All six of these separate class discussions also were followed up by a classroom guest lecture and brief question and answer session. The director of the Rape Victim Advocacy Program in Iowa City, or one of the agency's advocate trainers, was the scheduled guest lecturer throughout the three-year, six-course study. A list of books and articles for further study also were made available to the students after this exercise.[24]

As one of the students wrote on her course evaluation at the close of the Fall 1995 term: "You have no idea how much the rape victim and naming hypotheticals have helped me help another friend. 'You be the editor' became 'you be better prepared' for me. When I do become a professional journalist ... I'll be ready. In the meantime, I was prepared."

CONCLUSIONS

"Local Rapes Bring Early Lockup to Halls" (*The Daily Iowan*, October 16, 1996); "NBC Broadcasts Name of Woman Alleging Rape" (*Fort Worth Star-Telegram*, April 17, 1991); "Two Tech Players Face Rape Charges" (*Richmond Times-Dispatch*, December 17, 1996). While recent headlines highlight the fact that rapes and sexual assaults continue to

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[24] Among the list of books suggested to students for further reading and more in-depth analyses of the rape victim identification debate as well as the general coverage of rape and sexual assault: Benedict's "Virgin or Vamp: How the Press Covers Sex Crimes"; Susan Brownmiller's "Against Our Will: Men, Women and Rape"; Clifford B. Christians, John Ferre' and Mark Fackler's "Good News: Social Ethics and the Press," 1993; "Patricia Hill Collins' "Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment," vol. 2 (New York: Rutledge, 1991); Pamela Creedon's "Women in Mass Communication"; Angela Davis' "Women, Race and Class" (New York: Vintage Books, 1983); Deborah Denno's "The Privacy Rights of Rape Victims in the Media and the Law: Perspectives on Disclosing Rape Victims' Names," 61 Fordham Law Review 1113 (28 January 1993); Susan Estrich's "Real Rape: How the Legal System Victimizes Women Who Say No" (Cambridge, Mass.: Harvard University Press, 1987); Susan Faludi's "Backlash: The Undeclared War Against American Women" (New York: Doubleday, 1991); the Iowa Coalition Against Sexual Abuse' "Resource Guide: News Coverage of Sexual Assault" (Des Moines, Iowa: ICASA, 1986); Patricia Searles and Ronald J. Berger's "Rape and Society: Readings on the Problem of Sexual Assault" (Boulder, Colo.: Westview Press, 1995); and Rosemarie Tong's "Women, Sex, and the Law" (Totowa, N.J.: Rowman & Allanheld, 1984).

plague our streets, homes and campuses, this three-year study of more than 90 Newswriting and Reporting students at the University of Iowa suggests that future journalists are already addressing the rape victim identification dilemmas outlined by such scholars as Helen Benedict, Jay Black, Carol Oukrop, and others, as well as examining how they might better face cases such as the Central Park jogger rape, Bowman/Kennedy Smith case and the press' aggressive coverage of the alleged Dallas Cowboys offenders.

The findings reported in this study also show:

- While nearly a quarter of all the male students in the study suggested that the names of rape/sexual assault victims should be published in all cases, only one in 56 female students agreed. It is interesting to note, too, that it was primarily male students who opposed hasty press identification of the accused. While this issue was not part of the study, several students were compelled to comment in their written policies. This finding mirrors the feminist analyses found in Peggy Reeves Sanday's book "Fraternity Gang Rape: Sex, Brotherhood and Privilege on Campus,"[25] as well as the gender, race and class elements touched upon in Estrich's and Benedict's, among others', works.
- Nearly 70 percent of those surveyed (50 percent of male students and 78 percent of all female students) said it is OK to identify rape and sexual assault victims, but ONLY if the victim asks for or consents to being named, is well-known or has been murdered. This is in line with the general practice of most newspapers and broadcasters to voluntarily withhold the identity of a victim in a rape case.[26]

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[25] (New York: New York University Press. 1990).

[26] According to 1989 research by the Institute for the Study of Applied and Professional Ethics at Dartmouth University, 90 to 95 percent of news organizations do not disclose rape victims' names. Among the newspapers that adhere to such a policy: *The San Francisco Examiner*, *St. Petersburg Times*, *Miami Herald*, *Palm Beach Post*, *The Buffalo (N.Y.) News*, *Roanoke (Va.) Times and World News*, and *The Phoenix Gazette*. While withholding the names of rape victims is the general rule for most newspapers, a few such as the *Winston-Salem (N.C.) Journal* regularly name rape victims in their news pages. See Dick Haws and Melody Ramsey's "The Winston-Salem Journal and the Identification of Sexual Assault Victims," Newspaper Research Journal. Vol. 17, No. 3-4 (Summer/Fall 1996), 98-104.

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- Of the 47 students (51 percent of total) who said a victim's name "may be published if victim asks for or consents to identification," 62.5 percent were female students, 33.3 percent were male students.

Are these student-journalists better prepared to deal with the rape victim identification debate than their media predecessors? The answer to this question, like the identification debate itself, is arguable. What this study does show, however, is that students are familiar with the identification issues, they are familiar with policy arguments both for the publication of rape victim identities and against such publication, they are familiar with the options of which Jay Black speaks and they are privy to the myths that Benedict outlines in "Virgin or Vamp: How the Press Covers Sex Crimes."

As the 20-year-old Newswriting and Reporting student put it in 1995: "While it is legal for us to identify survivors, we should really learn from cases like the William Kennedy Smith debacle."

Indeed.